

DEVELOPMENT ADVISORY COMMITTEE MINUTES

The Development Advisory Committee (DAC) met on Wednesday, November 5, 2014 at 9:00 a.m. in the Second Floor Conference Room, 220 South Main Street, Bel Air, Maryland. The meeting was chaired by Moe Davenport, Department of Planning and Zoning.

The following members were in attendance:

Julie Mackert	Health Department
Robin Wales	Department of Emergency Services
Mike Rist	DPW Engineering
Darryl Ivins	DPW Water & Sewer
Mark Logsdon	Sheriff's Office
Rich Zeller	State Highway Administration
Patrick Jones	Harford Soil Conservation District

Also in attendance were:

Doug Kopeck, CNA Inc.	Donald Berg
Charles Merritt, MDC, Inc.	John P. Mullamo
Dave Mohr	Wilbur B. Pearce
Dan Steen	Richard Murray
Jaswant Dhaliwal	Robin Poole
Ali Ghanavi	Danielle Markette
J. Robert Tibbs, Jr.	Kevin Hess
Adam Berg	

Moe Davenport, of the Department of Planning and Zoning, welcomed everyone to the meeting. He explained there were two plans on the agenda. Mr. Davenport explained that a brief presentation will be given by the consultant for the project. The DAC members will give their comments on the project. The meeting will then be opened up for anyone in attendance that may have questions or comments. If anyone has questions that are not answered, there are information request forms that can be filled out and submitted to the Department of Planning and Zoning and they will be responded to in writing. There is an attendance sheet circulating for everyone to sign. If a correct address is given, a copy of the minutes will be mailed or e-mailed. The minutes will also be published to the Department of Planning and Zoning's website.

HARFORD COUNTY AIRPORT – PRELIMINARY/SITE

Located between Level Rd (Route 155) Aldino Rd (Route 156); west of Hopewell Rd. Tax Map 43; Parcels 49, 62, 82, 90, 253, 353, 101, 224, 84, 89, 411, lots 14, 15 & OS. Second Election District. Council District D. BOA 5814. Planner Shane.

Plan No.	P14-122	Consolidation of multiple parcels; 172.61 acres; AG/GI.
Received	10-01-14	Harford County Airport Operators Group, Inc; CNA.
Plan No.	S14-123	Expansion of existing airport; 172.61 acres; AG/GI.
Received	10-01-14	Harford County Airport Operators Group, Inc; CNA

Doug Kopeck of CNA presented the plan. The preliminary plan presented is a requirement of Board of Appeals Case 5814 and also subject to the County Council and Board of Appeal Case

5814. The plan is to consolidate the properties within the limits of the Harford Airport. A 3,200 lf extension and expansion of the existing runway is proposed by consolidating three runways into one. There are associated support buildings and hangars proposed as well. There is an MDE and Corps of Engineers permit required for impacts to jurisdictional wetlands. A letter of intent dated October 18, 2013 was issued by MDE and was granted an extension on September 18, 2014. The developer is working on posting the appropriate bonds. A Forest Stand Delineation was approved June 9, 2014. The Department of Public Works approved the concept stormwater management plan September 24, 2014.

Emergency Services - Robin Wales

Public safety wireless radio communications inside a building is essential to the safety of those occupying the structure as well as fire, law enforcement and emergency medical providers responding to a call for help. Buildings that are greater than 5,000 sf, higher than 50 ft, contain underground storage or parking and are constructed of materials that impede wireless radio signals that may adversely affect the response of public safety providers. Please consider including wiring, electrical connections and other infrastructure that may be needed for an in-building 800 MHz amplifier. The Department of Emergency Services will test coverage in the facility once construction is finished. Call 410-638-4900 for assistance.

If the facility maintains an inventory of hazardous material such as jet fuel, diesel fuel, gasoline and/or propane gas in amounts over 10,000 lbs or the Threshold Planning Quantity of 500 lbs of an extremely hazardous substance, such as sulfuric acid, they must submit reports as required by the Emergency Planning and Community Right to Know Act (EPCRA). Reports are due by March 1st and cover the inventory for the previous year. They must report to the State, LEPC and the Local Volunteer Fire Department. Reports for the Local Emergency Planning Committee should be sent to Harford County Local Emergency Planning Committee, Attention: Forney Buchanan (Sara Title III Planner), 2220 Ady Road, Forest Hill, MD 21050.

The proposed building must display 8"-10" address numbers and letters or a size that can be clearly visible from the point of access off of Aldino Road. Please label all buildings and hangars and have on-site directional arrows.

The Department must have a list of at least three emergency contacts for notification, response and securing purposes if the facility is not in operation 24 hours a day.

Volunteer Fire and E.M.S. – Bill Snyder

It is recommended that on-site water supply storage be added for fire protection. Please work with the Level Volunteer Fire Company on possible location and access if decision is made to install.

It is recommended that a Knox Key Box system be added to the buildings on-site and at the vehicle access points for emergency access. The system shall be keyed for the Level Volunteer Fire Company: 410-638-3826.

Harford Soil Conservation District – Patrick Jones

Concept stormwater management plans have been submitted and reviewed.

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An adequate sediment and erosion control plan must be approved before the issuance of a grading permit. The sediment and erosion control plan must be integrated with the SWM strategy at the design phase. The new 2011 Maryland Standard and Specifications for Soil Erosion and Sediment Control must be utilized.

An NOI permit is required from MDE when a project disturbs more than one acre. Please contact MDE about the NOI permit process.

Health Department – Julie Mackert

The site is serviced by well and an on-site disposal system.

Prior to further review, the following must be shown on a print to this office:

All existing wells must have the type of well construction indicated and what structure they service. Well construction labels may include such descriptions as a drilled well, pit drilled well, buried well or hand dug well. If the well is drilled, the consultant and/or developer needs to indicate if a well tag is present and, if present, the tag number must be provided on a plan. Once the type of well construction is determined for the existing wells, the Health Department will determine what wells can remain in use or must be replaced by a new well. All approved domestic wells to remain in service must be tested to document a safe water supply. Any existing well to be removed from service must be properly abandoned by a licensed well driller and an abandonment report submitted.

All on-site disposal systems must be indicated on a print and indicate what structure they service.

The consultant must identify any wells and on-site disposal systems within 100 feet of the property lines and show them on a print. If there are no neighboring wells and/or on-site disposal systems, a note must appear along the appropriate tract boundary.

Upon receipt of the above information, the Health Department will update its comments.

Upon preliminary plan approval and prior to final plat approval, the following is required:

All existing on-site disposal systems must be pumped, inspected and certified by a contractor who has completed a course approved by the Maryland Department of the Environment (MDE) for the proper evaluation of on-site septic systems. The contractor must submit a report of the findings for review. Any deficiencies noted must be corrected to the satisfaction of the Health Department.

The final plat must bear the well, septic reserve area and plat plan notes. The square footage amount of each septic reserve area must be clearly labeled on the final plat.

DPW – Engineering – Mike Rist

A sediment control plan and a grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications at set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.

Stormwater management must be provided in accordance with the 2000 Design Manual as amended by Supplement 1.

A stormwater management concept plan has been submitted for review and approved. Comments must be addressed on subsequent stormwater plan submittals.

The final stormwater management plan shall be approved prior to the issuance of a grading permit. A stormwater management permit is required prior to the issuance of a building permit.

Maintenance of the stormwater management facility (ies) is (are) the responsibility of the lot owner(s).

All pavement striping and traffic control signs shall conform to the Manual on Uniform Traffic Control Devices and State Highway Administration Supplement.

Fairchild Court is a private right of way at this time. The proposed access through the Fairchild Court right of way to MD 156 shall be constructed as a private entrance unless plans are submitted and approved and a Public Works Agreement is executed.

State Highway Administration – Rich Zeller

With regard to the Preliminary Plan:

The existing right of way line for this property along MD 156 extends to the centerline of Aldino Road. The SHA is requesting the dedication of property frontage along MD 156 to SHA for a distance of 30' from the MD 156 centerline along the entire property frontage. SHA requires that any right of way or easement donation (dedication) be platted to SHA standards. These standards may be found at <http://www.roads.maryland.gov>; Business Center; - Surveyors Center; then follow the link to Developer Donation Plat Standards. Please contact Ms. Jane Heming, Chief, Records & Research Section, Office of Real Estate (ORE) at 410-545-2829 or jheming@sha.state.md.us for existing right of way information. Note that any plats produced for SHA shall be on NAD83/91 datum. Please contact Mr. Dan Sain, Assistant Division Chief, Plats and Surveys Division (PSD) at 410-545-8961 or dsain@sha.state.md.us for SHA-GPS control location and information. All plats must be submitted in hard copy format for review, checking and final issuance. All subdivision plats that will be showing donated area must be approved by PSD prior to recordation at the County level. The first plat submission shall come through the Access Management Division directly to Mr. Steven Foster, attention of Mr. Richard Zeller. Subsequent plat submissions may be made directly to the Plats and Surveys Division. Please contact Mr. Bill Carroll, Assistant Division Chief, Plats and Surveys Division at 410-545-8958 or bcarroll2@sha.state.md.us for additional information about the Donation Plat review process. Additionally, contact Mr. Lee Lambert, Chief, District 4 Right of Way at 410-229-2401 or at llambert@sha.state.md.us for information about the Donation Deed requirements and procedures. SHA requests that approval of the preliminary plan be withheld until this dedication of property has been finalized.

As to the Site Plan:

An access permit will be required for the proposed entrance to this site from MD 156. The following criteria will apply and must be reflected on future plan submittals:

A line of sight profile should be included in the plan set that demonstrates that the minimum intersection sight distance requirement can be met for a 40 mph posted speed limit at the proposed entrance location.

The entrance must be between 25' and 35' wide with 25' radii. The area that will be utilizing the SHA full depth pavement section must be shaded from the edge of the existing travel lane back to the radius returns within the entrance. The following pavement section shall be utilized and noted on the plans:

2" Hot Mix Asphalt Superpave 12.5mm for Surface, PG-64-22, Level 2
6" Hot Mix Asphalt Superpave 19.0mm for Base, PG-64-22, Level 2 (2-3" lifts)
12" Base Course using Graded Aggregate (2-6" lifts)

The Access Management Division Plan Review Checklist needs to be utilized in drafting the SHA improvement plans. The checklist can be accessed at www.roads.maryland.gov by selecting the Business Center drop down menu and Permits and Miss Utility Information, Access Permits, Commercial/Industrial/Residential Subdivision Access Permit, Plan Submittal Checklist. Please include a copy of the completed checklist with the next submittal. The checklist can also be accessed directly at: <http://www.roads.maryland.gov/ohd2/Plan-check-list.pdf>.

The SHA Business Standards and Specifications, which include many of the standards, specifications, and other information that projects should follow for the plans, related to a development and access permit project design and construction. This information can be accessed directly at <http://www.roads.maryland.gov/Index.aspx?PageId=689&d=5>.

The SHA Access Manual can be accessed at www.roads.maryland.gov by selecting the Business Center drop down menu and Permits and Miss Utility Information, Access Permits, Commercial/Industrial/Residential Subdivision Access Permit, State Highway Access Manual. The policy can also be accessed directly at <http://www.roads.maryland.gov/Index.aspx?PageId=393>.

Department of Planning and Zoning – Shane Grimm

The proposed airport expansion is subject to the conditions of Board of Appeals Case No. 5814.

The site plan must be revised to remove that proposed future access to Fairchild Court. The BOA decision specifically stated that no access to Fairchild Court shall be permitted.

Permits shall be obtained for all proposed retaining walls. The grading for the proposed retaining wall on the east side of the subject property shall not encroach into the Natural Resource District (NRD) buffer.

The landscaping plan does not provide the required the number of trees per the Code requirement of 1 per 10 parking spaces. The plan shall be revised to provide for the correct number of trees.

The offsite reforestation area is located on lots within a recorded subdivision. The plats shall be revised to add the forest retention easement.

The final plat consolidating all of the parcels shall be recorded in the Land Records prior to any building permit application.

Mr. Davenport reminded Mr. Kopeck that this project has been appealed to the Circuit Court and the property owner moves forward at his own risk.

Comments were invited from the public.

John Mullamo asked who would address the project operating in the fourth dimension of time and altitude. He noted that comments were provided concerning the surface conditions of the airport but was concerned about the overhead traffic conditions as well.

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Mr. Davenport replied that the MAA and the FAA would dictate what the airport can and cannot do as far as operations.

Mr. Mullamo asked if the County would be using any zoning powers.

Mr. Davenport explained that the zoning issue has been addressed by the Board of Appeals. The operation and expansion of the airport was obligated to go to the Board for a special exception.

Mr. Mullamo stated this was not an operational airpark and was still in the zoning and planning process. He said the project will construct a new airport into an agricultural and rural residential area.

Mr. Davenport explained again how the project was obligated to go to the Board of Appeals. The DAC Committee must ensure that the project complies with the conditions of the Board of Appeals case as determined by the Hearing Examiner and the County Council as indicated in the review comments.

Mr. Mullamo asked how much jet fuel would be stored on the site.

Mr. Kopeck replied that he did not know and it was an operations question.

Mr. Mullamo asked if any jet fuel would be present.

Mr. Davenport was uncertain and added that it would be regulated by the Maryland Department of the Environment.

Mr. Mullamo asked about the traffic pattern associated with the airpark.

Mr. Davenport replied that the runway pattern was on the site plan and the air traffic was regulated by the Maryland Aviation Administration. He was not aware of the air traffic pattern.

Mr. Mullamo said that was the fourth dimension. He confirmed that the County was to uphold the case as determined by the Board of Appeals. One of the conditions was that no more than fifty percent of the operation could be in the AG zone and none of it could be in the Rural Residential zone. He asked if the plan showed where the rural residential area starts.

Mr. Davenport explained there was no rural residential zoning on the property.

Mr. Mullamo demonstrated the air traffic pattern for the proposed plan going around and parallel to the runway. He asked at what point in the pattern an airplane begins its descent for landing.

Mr. Davenport responded he was not an expert on aviation and was not able to answer questions about aviation.

Mr. Mullamo asked if the traffic pattern was part of the airpark. It is certainly a part of the takeoff and landing.

Mr. Davenport assumed that there were patterns that the airport must comply with regarding the MAA and the FAA.

Mr. Mullamo said the pattern was established by the project; not the FAA or the MAA. He said it was a zoning issue decided at the local level.

Mr. Davenport said he expected that the Hearing Examiner and the County Council reviewed that as part of the case. He added that if Mr. Mullamo disagreed, he had the right to appeal the decision to the Circuit Court.

Mr. Mullamo asked how many easements were required and if they have been secured.

Mr. Davenport was not aware of any obligated easements.

Mr. Mullamo asked Mr. Berg and Mr. Tibbs if the airport had an easement over their properties. They both responded no. Mr. Mullamo then asked if the site plan was complete.

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Mr. Davenport replied that the site plan was prepared and the County has asked for revisions.

Mr. Mullamo asked if the plan approved by the Board of Appeals was final.

Mr. Davenport explained that the site plan approved by the Board of Appeals had conditions.

Mr. Mullamo asked how much plan revision would require another hearing.

Mr. Davenport explained if the changes adhere to the Hearing Examiner's conditions there would be no further hearing.

Mr. Mullamo confirmed that there was still a permitting process to go through with the State and the Corps of Engineers. He asked if such permitting process could change the site plan.

Mr. Davenport replied that it could depend on substantial revisions; however, the plan as submitted was consistent with the Board of Appeals.

Mr. Mullamo asked if the final design showed the final elevation of the runway.

Mr. Davenport replied he was not certain.

Mr. Kopeck stated there were runway elevations shown on the site plan by the contours.

Mr. Davenport confirmed the proposed contours were on the plan.

Mr. Mullamo asked how much fill would be needed.

Mr. Kopeck did not have that information.

Mr. Mullamo asked how much remediation would be required to bring the soil up to the level necessary to bear the weight of 12,500 pounds. He was fairly certain that the present soil would not hold such weight and believed remediation would be necessary.

Mr. Kopeck explained that geo-technical engineers had been to the site for an evaluation but he did not have the results of the study.

Mr. Mullamo asked how the airport would indemnify the neighbors against the changes in the contours and the effect of flooding on their properties.

Mr. Davenport explained that the developer was obligated to provide stormwater management and grading plans that comply with all of the state regulations.

Robert Tibbs said the new proposed site would change the air pattern around the airport. He has lived with the airport since the 1940's. He felt the extra length of runway will result in bigger planes which will require a different air pattern. It will affect him as far as noise and livelihood. He has cattle that are disturbed by the noise. He thought the air part of the project needed to be addressed.

Mr. Davenport explained the project was not a permitted use by right and was required to go through the County Council and the Board of Appeals. They have issued a decision that the County is obligated to uphold. He added that the project had been appealed to the Circuit Court.

Mr. Tibbs did not feel that the property rights of the surrounding areas were being upheld because the property did not stop on the ground but went upwards as well.

Mr. Davenport added that information should have been considered by the Hearing Examiner when the case was heard for special exception.

Priscilla Eisinger asked if there were existing Emergency Services able to extinguish Jet A fuel type fires.

Ms. Wales replied yes.

1001 JOPPA FARM ROAD

Located on the north western corner of the intersection of Joppa Farm Road & Trimble Road. Tax Map 64; Parcel 241. First Election District. Council District A. Planner Jennifer.

Plan No. S14-125 Convert motor vehicle use to liquor store; 0.51 acres; B2.

Received 10-08-14 VRK, Inc./Merritt Development Consultants Inc.

Chuck Merritt of Merritt Development represented the plan. The current use of the property is an abandoned gas/service station. The plan proposes to remove the components of the gas station, underground storage tanks and the fuel pump and to build a free standing, retail building to be used as a liquor store. The owner has a current liquor store in the Joppatowne Shopping Center which he will be relocating to this site. The building site will utilize the existing entrance and will minimize impervious surfaces.

Emergency Services - Robin Wales

The proposed building must display 8"-10" address numbers and letters. The address must be clearly visible from Joppa Farm Road.

The Department must have a list of at least three emergency contacts for notification, response and securing purposes.

Volunteer Fire and E.M.S. – Bill Snyder

For all new or altered buildings with an automatic sprinkler system or a supervised, automatic fire detection system, a Knox Box must be installed per NFPA 1, Part III, 3-6. They shall be keyed for the Joppa Magnolia Volunteer Fire Company: 410-676-0888.

Harford Soil Conservation District – Patrick Jones

An adequate sediment and erosion control plan for demolition and construction must be approved before the issuance of a grading permit. The sediment and erosion control plan must be integrated with the SWM strategy at the design phase. The new 2011 Maryland Standard and Specifications for Soil Erosion and Sediment Control must be utilized.

Health Department – Julie Mackert

The site is serviced by public water and sewer.

The existing building to be razed will require a demolition permit that is secured through the Department of Planning and Zoning. All aspects of the demolition work must be reviewed, approved and completed to the satisfaction of the Health Department. This includes, but is not limited to, the abandonment of any wells and septic systems, asbestos, underground storage tanks, hazardous materials, solid wastes, etc. and the forwarding of any documentation concerning the demolition work. Questions concerning the demolition work should be directed to Mr. Joe DeLizia or Mr. Rich Gordon of the Air/Waste Division. They can be reached at 410-877-2335 or 410-877-2326.

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The underground fuel storage tanks must be removed if not already completed. Permits will be required from the Maryland Department of the Environment (MDE) for the removal of the underground fuel storage tanks. Please contact Mrs. Jeannette DeBartolomeo at MDE's Oil Control Program at 410-537-3427. Please provide this office with documentation indicating the removal of the tanks.

The monitoring wells must remain undisturbed and protected during construction unless written authorization is received from MDE's Oil Control Program for their removal.

If the liquor store plans to sell food items or ice, the HCHD must review and approve all food service and building plans prior to issuance of the building permit to construct. The owner, agent, or future tenant for the project must complete and submit a food service package for review. To request a food service facility review package, the owner or his/her agent should contact Mrs. Lisa Kalama at 410-877-2332.

It is the responsibility of the owner/operator to be aware of any regulatory requirements for the proposed use and for obtaining appropriate permits.

The owner/developer is reminded that during the development of this project when soil moisture conditions are low, measures must be implemented to prevent the generation of dust until a permanent vegetative cover is established and all paving is completed.

DPW – Water and Sewer – Darryl Ivins

A new series of this plan is required to address the following comments, concerns and/or requirements of the Department of Public Works, Division of Water and Sewer on the above described project:

Show the existing water and sewer services. The existing water service is $\frac{3}{4}$ inch in diameter with a $\frac{5}{8}$ " meter. If the existing service will not be re-used, identify it to be abandoned at the main in accordance with Harford County standards and show the location of the new service.

Show the existing utility easement along the frontage of the property parallel to Joppa Farm Road. It can be seen on Plat 13-68. If a new plat is being recorded, the Division of Water and Sewer requests that an additional 8 feet of easement be provided along Joppa Farm Road. This will provide a total easement width of twenty feet.

A public fire hydrant shall be added in the island at the corner of the property as part of the utility work for this project. It must be shown on the next series of the plan. The hydrant shall be installed prior to receiving a building permit for the new construction.

The Commercial Service Application Number 19789 must be added to the title block of the site plan submitted with the Application for approval.

Any sewer cleanouts that are located within the paved area shall be installed using the County cleanout in paving detail S-28. The detail shall be shown on the utility plan and referenced on the plan and/or profile drawing.

The construction contract numbers for the existing utilities shall be shown on the drawing submitted with the Commercial Application.

A Commercial Service Application must be completed by the owner and approved by Harford County before a building permit will be issued for this project. Contact Ms. Patti Bankert of the Division of Water and Sewer New Connection Services at 410-638-3300 x1467 for additional information.

Trees may not be placed within the drainage and utility easements within fifteen feet (15') of existing or proposed utilities. The Division of Water and Sewer must have an opportunity to review the landscaping plan before it is approved by the Department of Planning and Zoning, to verify that this condition has been met. Approval of the Commercial Application for this project will not be granted until the landscaping plan is acceptable to the Division of Water and Sewer.

DPW – Engineering – Mike Rist

A sediment control plan and a grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.

Stormwater management must be provided in accordance with the 2000 Design Manual as amended by Supplement 1.

A stormwater management concept plan shall be submitted for review and must be approved prior to preliminary plan approval.

The final stormwater management plan shall be approved prior to the issuance of a grading permit. A stormwater management permit is required prior to the issuance of a building permit.

Maintenance of the stormwater management facility (ies) is (are) the responsibility of the lot owner(s).

Any changes to the entrances onto the County roads will require an access permit. The existing entrance at Trimble Road should be shown on the next series of the plan.

State Highway Administration – Rich Zeller

SHA has no objection to preliminary plan approval as access is to a county road and there are no right of way impacts to SHA.

Department of Planning and Zoning – Jen Wilson

The property is zoned B2 (Community Business District), in which liquor stores are permitted; subject to approval by the Harford County Liquor Board.

There is a required 20' wide use setback for retail use adjacent to residential lots. The building, dumpster, and parking shall be located outside of the use setback.

As proposed, the project requires 23 parking spaces, not 22 as shown on the plan.

There is an existing curb cut on Trimble Road that shall be shown on the revised series.

The proposed parking appears to be in conflict with the northernmost entrance to Joppa Farm. The entrance should be moved and an island added, which will also provide space for the required 5' wide parking lot landscape screening.

Areas where there is to be no parking along the northwestern property line should be striped to indicate "no parking."

The new series shall supply the required calculations for existing and proposed building coverage and impervious surface. The calculations shall only include the area within the Parcel boundary.

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If there is any disturbance to the small area of Chesapeake Bay Critical Area on this property, that area would be subject to the 10% pollution reduction calculations. The applicant should contact Bryan Lightner of Planning & Zoning about this requirement.

The Landscape Plan cannot be approved at this time. A Bufferyard 'A' is required adjacent to the residential zoning.

The Bufferyard must be expanded to a Bufferyard 'B' where the parking lot is adjacent to a residential lot and must provide 6' high screening.

Landscape Calculations must be revised to provide calculations for the required Bufferyard plantings and interior parking lot trees.

Foundation plantings must be provided in a minimum of 3' wide strip around the exterior of the building, with any needed breaks for building access.

The landscape plan shall also include, a detailed planting schedule with proposed species and installation size, a cost estimate, and the required notes listed on the checklist.

Prior to site plan approval, the applicant must submit a photometric plan.

The Department requests that architectural renderings be submitted for review and comment prior to building permit application. The renderings should be in color and include a list of materials and finishes.

All proposed signage shall conform to the Sign Code and permits shall be obtained from the Department of Planning and Zoning. No signage shall be placed within the road right-of-way.

Comments were invited from the public.

Robin Poole, manager of the neighboring property for almost thirty years, has seen this property try several times to change the service station into a convenience store or add to the gas pumps; each time the change was denied. She stated that zoning has made it clear that this site is zoned for service and the gas pumps/auto repair base could not be removed. She did not understand how this project got a waiver without a hearing to change the property from service to retail. She did not like having a liquor store beside her property. She had a petition signed by over 100 residents with more signatures at her office who were also concerned. The current building is only two feet off of the property line.

Mr. Davenport explained that the property is zoned B2 which allows retail, service and a myriad of business uses. The existing building is within the setbacks and is recognized as an existing non-conforming structure. It may remain that way as long as it does not change use. It allows the service station that exists in a non-conforming state to continue operation. It does, however, deny the ability to redevelop and change the use without site changes. In proposing to redevelop the site under general business, they must now provide the required use setbacks and revisions are required to the proposed site plan.

Ms. Poole commented to the small area on-site available for parking spaces. She did not see how the required parking could be met.

Mr. Davenport explained the site must be redesigned. It may require changes to the size of the building and/or the parking spaces.

Ms. Poole added that her tenants were concerned. There have been several accidents at the intersection of the shopping center. She felt that a liquor store would be packed all the time and feared for pedestrian safety, even in the crosswalks.

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Mr. Davenport replied that the site would be developed as if there were nothing there. It is a one acre, B2 property and the developer must comply with all conditions concerning building size, setbacks, parking, landscaping, etc. They must demonstrate that every aspect can fit.

Ms. Poole requested an eight foot high fence be installed along the property border from Trimble all the way to Joppatowne to help keep vagrants from entering the property and parking lots around the rental buildings. She was concerned that her potential renters may be deterred from renting because of a neighboring liquor store.

Mr. Davenport explained that there are use setbacks required to help minimize the impact.

Ms. Poole confirmed the existing structure could remain as long as it remained a service station.

Mr. Davenport again explained how it was a non-conforming allowed use as it stood. If they chose to change the use, then it needs to comply with all current regulations.

Ms. Poole asked why an initial hearing wasn't held.

Mr. Davenport explained that a Community Input Meeting was not required for this project because the size of the project did not generate 250 trips a day. That is the threshold at which a Community Input Meeting (CIM) must be held. The size and scale of this project did not warrant the CIM.

Ms. Poole questioned the amount of traffic with liquor and lottery sales.

Mr. Davenport replied that according to the traffic engineer guidelines, on average, this use did not generate 250 trips.

Ms. Poole asked again that the committee consider how the project will affect her business and the residents.

Meeting adjourned at 9:46 a.m.